

**Pages 1 - 17**

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

BEFORE THE HONORABLE JOSEPH C. SPERO, MAGISTRATE JUDGE

DAVID AND NATASHA WIT, et al.,	)	
	)	
Plaintiffs,	)	
	)	
VS.	)	<b>No. C 14-2346 JCS</b>
	)	
UNITED BEHAVIORAL HEALTH,	)	
	)	
Defendant.	)	
_____	)	San Francisco, California

**MASTER INDEX**

**APPEARANCES:**

For Plaintiffs:	ZUCKERMAN SPAEDER LLP 1800 M Street, NW, Suite 1000 Washington, DC 20036-5807
<b>BY:</b>	<b>CARL S. KRAVITZ, ESQUIRE</b> <b>CAROLINE E. REYNOLDS, ESQUIRE</b> <b>AITAN D. GOELMAN, ESQUIRE</b>
	ZUCKERMAN SPAEDER LLP 485 Madison Avenue, 10th Floor New York, New York 10022
<b>BY:</b>	<b>JASON S. COWART, ESQUIRE</b>

(Appearances continued on next page)

Reported By:	Katherine Powell Sullivan, CSR #5812, RMR, CRR Jo Ann Bryce, CSR #3321, RMR, CRR Official Reporters - U.S. District Court
--------------	---

**APPEARANCES (CONTINUED) :**

For Plaintiffs: ZUCKERMAN SPAEDER LLP  
100 East Pratt Street, Suite 2440  
Baltimore, Maryland 21202-1031

**BY: ADAM ABELSON, ESQUIRE**

THE MAUL FIRM, P.C.  
101 Broadway, Suite 3A  
Oakland, California 94607

**BY: ANTHONY F. MAUL, ESQUIRE**

PSYCH APPEAL  
8560 Sunset Boulevard, Suite 500  
West Hollywood, California 90069

**BY: MEIRAM BENDAT, ESQUIRE**

For Defendant: CROWELL & MORING LLP  
515 South Flower Street, 40th Floor  
Los Angeles, California 90071-2258

**BY: JEFFREY H. RUTHERFORD, ESQUIRE  
JENNIFER S. ROMANO, ESQUIRE  
ANDREW HOLMER, ESQUIRE**

CROWELL & MORING LLP  
3 Embarcadero Center, 26th Floor  
San Francisco, California 94111

**BY: NATHANIEL P. BUALAT, ESQUIRE**

CROWELL & MORING LLP  
1001 Pennsylvania Avenue, NW  
Washington, DC 20004-2595

**BY: APRIL N. ROSS, ESQUIRE**

I N D E X

Monday, October 16, 2017 - Volume 1  
 Tuesday, October 17, 2017 - Volume 2  
 Tuesday, October 17, 2017 - Volume 2  
 Wednesday, October 18, 2017 - Volume 3  
 Monday, October 23, 2017 - Volume 4  
 Tuesday, October 24, 2017 - Volume 5  
 Wednesday, October 25, 2017 - Volume 6  
 Thursday, October 26, 2017 - Volume 7  
 Monday, October 30, 2017 - Volume 8  
 Tuesday, October 31, 2017 - Volume 9  
 Wednesday, November 1, 2017 - Volume 10

	<u>PAGE</u>	<u>VOL.</u>
Opening Statement by Ms. Reynolds	10	1
Opening Statement by Ms. Romano	33	1
Closing Argument by Mr. Goelman	1828	10
Closing Argument by Mr. Rutherford	1872	10
Rebuttal Argument by Mr. Cowart	1925	10

PLAINTIFFS' WITNESSESFISHMAN, MARC

(SWORN)	61	1
Direct Examination by Mr. Goelman	61	1
Cross-Examination by Mr. Rutherford	174	1
Redirect Examination by Mr. Goelman	212	1

FISHMAN, MARC (RECALLED)

(PREVIOUSLY SWORN)	248	2
Redirect Examination resumed by Mr. Goelman	248	2
Recross-Examination by Mr. Rutherford	283	2

NIEWENHOUS, GERARD

(SWORN)	296	2
Direct Examination by Ms. Reynolds	296	2
Cross-Examination by Ms. Romano	429	2

I N D E XPLAINTIFFS' WITNESSESPAGE VOL.NIEWENHOUS, GERARD (RECALLED)

(PREVIOUSLY SWORN)	444	3
Cross-Examination resumed by Ms. Romano	444	3
Redirect Examination by Ms. Reynolds	455	3
Recross-Examination by Ms. Romano	466	3

PLAKUN, ERIC MARTIN

(SWORN)	467	3
Direct Examination by Mr. Kravitz	467	3
Direct Examination resumed by Mr. Kravitz	570	3
Cross-Examination by Mr. Rutherford	612	3

PLAKUN, ERIC (RECALLED)

(PREVIOUSLY SWORN)	646	4
Cross-Examination resumed by Mr. Rutherford	647	4
Redirect Examination by Mr. Kravitz	662	4

DUH, JOSEPHINE

(SWORN)	671	4
Direct Examination by Mr. Abelson	672	4
Cross-Examination by Ms. Ross	684	4

TRIANA, LORENZO

(SWORN)	696	4
Direct Examination by Mr. Kravitz	697	4
Cross-Examination by Mr. Rutherford	785	4
Redirect Examination by Mr. Kravitz	807	4

BRIDGE, FRANCIS

By Videotape Deposition (not reported)	823	5
--	-----	---

ROCKSWOLD, ERIC

By Videotape Deposition (not reported)	824	5
(SWORN)	833	5

NIEWENHOUS, GERARD (CALLED IN REBUTTAL)

(PREVIOUSLY SWORN)	1801	9
Direct Examination by Ms. Reynolds	1801	9
Cross-Examination by Ms. Romano	1820	9

I N D E X**DEFENDANT'S WITNESSES****PAGE    VOL.****DEHLIN, BARRY WILLIAM**

Direct Examination by Ms. Ross 834 5

Cross-Examination by Mr. Abelson 905 5

**MARTORANA, ANDREW**

(SWORN) 922 5

Direct Examination by Ms. Romano 922 5

Direct Examination resumed by Ms. Romano 954 5

**MARTORANA, ANDREW (RECALLED)**

(PREVIOUSLY SWORN) 1052 6

Direct Examination resumed by Ms. Romano 1052 6

Cross-Examination by Ms. Reynolds 1100 6

Redirect Examination by Ms. Romano 1137 6

**SIMPATICO, THOMAS**

(SWORN) 1141 6

Direct Examination by Ms. Romano 1141 6

Direct Examination resumed by Ms. Romano 1204 6

**SIMPATICO, THOMAS (RECALLED)**

(PREVIOUSLY SWORN) 1301 7

Direct Examination resumed by Ms. Romano 1301 7

**ALLCHIN, THEODORE**

(SWORN) 1352 7

Direct Examination by Mr. Bualat 1353 7

Cross-Examination by Mr. Goelman 1441 7

Redirect Examination by Mr. Bualat 1465 7

**BRIDGE, FRANCES**

(SWORN) 1468 7

Direct Examination by Mr. Holmer 1468 7

Cross-Examination by Ms. Reynolds 1505 7

Redirect Examination by Mr. Holmer 1539 7

**ROBINSON-BEALE, RHONDA**

By Videotaped Deposition 1556 8

**ALAM, DANESH**

(SWORN) 1568 8

Direct Examination by Mr. Rutherford 1568 8

Cross-Examination by Mr. Goelman 1630 8

Redirect Examination by Mr. Rutherford 1677 8

I N D E XDEFENDANT'S WITNESSESPAGE VOL.TRIANA, LORENZO

(SWORN)	1685	8
Direct Examination by Mr. Rutherford	1685	8
Cross-Examination by Mr. Kravitz	1727	8
Redirect Examination by Mr. Rutherford	1756	8
Recross-Examination by Mr. Kravitz	1759	8

BEATY, JOHN

By Videotaped Deposition	1761	8
--------------------------	------	---

GODDARD, THOMAS GLENN

(SWORN)	1761	8
Direct Examination by Mr. Bualat	1762	8

GODDARD, THOMAS GLENN (RECALLED)

(PREVIOUSLY SWORN)	1782	9
Cross-Examination by Mr. Abelson	1783	9

URBAN, LORETTA

By Videotaped Deposition (not reported)	1791	9
---	------	---

BROCK III, IRVIN PETE

By Videotaped Deposition (not reported)	1791	9
---	------	---

BONFIELD, WILLIAM CLIFFORD

By Videotaped Deposition (not reported)	1792	9
---	------	---

E X H I B I T STRIAL EXHIBITSIDEN EVID VOL.

225	678	4
226	683	4
227	678	4
229	683	4
231	678	4
232	683	4

I N D E XE X H I B I T S

<u>TRIAL EXHIBITS</u>	<u>IDEN</u>	<u>EVID</u>	<u>VOL.</u>
233		678	4
234		683	4
235		678	4
236		683	4
237		678	4
238		683	4
239		678	4
240		683	4
241		678	4
242		683	4
243		678	4
244		683	4
245		678	4
246		683	4
255		825	5
256		734	4
257		734	4
258		733	4
259		714	4
260		734	4
261		734	4

I N D E XE X H I B I T S

<u>TRIAL EXHIBITS</u>	<u>IDEN</u>	<u>EVID</u>	<u>VOL.</u>
262		734	4
264		312	2
265		314	2
268 through 278		391	2
281		310	2
290		824	5
291		824	5
299		737	4
300		738	4
301		738	4
302		738	4
305		1801	9
307		338	2
322		412	2
332		1711	8
335		348	2
339		706	4
342		417	2
343		739	4
348		1677	8
353		1802	9



I N D E XE X H I B I T S

<u>TRIAL EXHIBITS</u>	<u>IDEN</u>	<u>EVID</u>	<u>VOL.</u>
360		1810	9
368		1714	8
372 (Under Seal)		426	2
378		396	2
382		1632	8
402		399	2
407		1567	8
408		743	4
409		1567	8
412		1628	8
420		1653	8
421		1655	8
423		1715	8
430		1677	8
434		1716	8
437		382	2
445		373	2
450		385	2
452		1669	8
477		373	2
482		1720	8

I N D E XE X H I B I T S

<u>TRIAL EXHIBITS</u>	<u>IDEN</u>	<u>EVID</u>	<u>VOL.</u>
482		1746	8
486		1750	8
493		394	2
494		373	2
497		373	2
506		408	2
512		301	2
516		743	4
517		1741	8
519		1782	9
522		314	2
524		778	4
537		1133	6
539		1818	9
540		299	2
548		1670	8
549		782	4
552		1817	9
555		373	2
556		1817	9
564		825	5

I N D E XE X H I B I T S

<u>TRIAL EXHIBITS</u>	<u>IDEN</u>	<u>EVID</u>	<u>VOL.</u>
570		601	3
575		812	4
592		345	2
634		969	5
639		971	5
640		598	3
641		609	3
642		69	1
644		1465	7
645		1465	7
651		1809	9
653		500	3
654		371	2
655		358	2
656		329	2
661		153	1
662		69	1
662		1157	6
670		64	1
673		1121	6
693		1441	7

I N D E XE X H I B I T S

<u>TRIAL EXHIBITS</u>	<u>IDEN</u>	<u>EVID</u>	<u>VOL.</u>
694		1782	9
711		827	5
720		756	4
735		308	2
745		761	4
749		769	4
755		749	4
758 (partially sealed)		772	4
766		775	4
768		305	2
770		784	4
783		1124	6
786		415	2
798		711	4
812		825	5
850		765	4
879		1567	8
880	61		1
892		678	4
893		680	4
894		682	4

I N D E XE X H I B I T S

<u>TRIAL EXHIBITS</u>	<u>IDEN</u>	<u>EVID</u>	<u>VOL.</u>
895		684	4
896		825	5
897		1507	7
899		1539	7
903		1936	10
904		1936	10
1011		1761	8
1012		1761	8
1033		1567	8
1114		1736	8
1116		1736	8
1143		1721	8
1186		941	5
1189		1693	8
1206		955	5
1235		1690	8
1252		1700	8
1253		1701	8
1254		1703	8
1286 through 1289		683	4
1290 through 1292		683	4

I N D E XE X H I B I T S

<u>TRIAL EXHIBITS</u>	<u>IDEN</u>	<u>EVID</u>	<u>VOL.</u>
1294 through 1300		683	4
1302		683	4
1303		683	4
1304		683	4
1305		683	4
1307 through 1309		683	4
1311 through 1320		683	4
1322		683	4
1325 through 1331		683	4
1333 through 1338		683	4
1340 through 1350		683	4
1352		683	4
1353		683	4
1355 through 1358		683	4
1360		683	4
1361		683	4
1364 through 1373		683	4
1375 through 1381		683	4
1383 through 1392		683	4
1395		1159	6
1502		1017	5

I N D E XE X H I B I T S

<u>TRIAL EXHIBITS</u>	<u>IDEN</u>	<u>EVID</u>	<u>VOL.</u>
1507		1015	5
1535		678	4
1538 through 1542		678	4
1544		678	4
1546 through 1551		678	4
1554		678	4
1556 through 1561		678	4
1563		678	4
1566		678	4
1567		678	4
1570 through 1572		678	4
1578		678	4
1580 through 1589		678	4
1592 through 1594		678	4
1596 through 1606		678	4
1608		678	4
1611		678	4
1614		678	4
1616		678	4
1617		678	4
1619		678	4

I N D E XE X H I B I T S

<u>TRIAL EXHIBITS</u>	<u>IDEN</u>	<u>EVID</u>	<u>VOL.</u>
1622 through 1625		678	4
1628 through 1631		678	4
1633 through 1637		678	4
1639		678	4
1641 through 1644		678	4
1647		678	4
1649 through 1651		678	4
1653		892	5
1654		898	5
1655		1505	7
1657 through 1661		1793	9
2000		678	4
2001		683	4
2002		678	4
2003		678	4
2004		683	4
2005		683	4
2006		678	4
2007		678	4
2009 through 2011		678	4
2013		683	4



I N D E XE X H I B I T S

<u>TRIAL EXHIBITS</u>	<u>IDEN</u>	<u>EVID</u>	<u>VOL.</u>
2014		678	4
2016		678	4
2017		678	4
2018		683	4
2019		683	4
2020 through 2029		678	4
2030		683	4
2031		678	4
2032		678	4
2033		683	4
2034		683	4
2035 through 2039		683	4